

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **DAMARYS FIGUEROA RIVERA**
SSN xxx-xx-7042

CASE NO: **22-01797-MCF**

Debtor(s)

Chapter 13

TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$392.00** Outstanding (Through the Plan): **\$3,608.00**

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor's/s' Commitment Period: ☒ Under Median Income 36 months ☐ Above Median Income 60 months §1325(b)(1)(B)
☐ The Trustee cannot determine debtor's/s' commitment period at this time. Projected Disposable Income: **\$0.00**

Liquidation Value: \$0.00 Estimated Priority Debt: \$0.00

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00

With respect to the (amended) Plan date: **Sep 27, 2022 (Dkt 32)** **Plan Base: \$39,196.00**

The Trustee: ☐ **DOES NOT OBJECT** ☒ **OBJECTS** Plan Confirmation Gen. Uns. Approx. Dist.: 5.59 %

The Trustee objects to confirmation for the following reasons:

[1325(a)(6)] Feasibility – Debtor(s) does not has/have the capacity to make proposed plan payments.

Debtor listed \$560.00 of WIO income. This is a stipend, as she is studying. She is studying how to make window screens, build windows and doors, cabinet making, etc. The stipend checks submitted show, however, a monthly income between \$125.00 and \$275.00. Debtor said she receives the \$500.00 checks when she has to buy materials for the class. Debtor must review income, as it appears that her WIO income is less than reported. Even if she receives \$500.00 for the purchase of materials, the expense for said materials was not included in Schedule J.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan PR 00902-3884
Tel. (787)977-3535 Fax (787)977-3550

Date: September 29, 2022

/s/ Mayra Arguelles, Esq.